

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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ROBERT BURTON BEHR,

Civil No. 06-487 (JNE/JSM)

Petitioner,

v.

**ORDER**

STATE OF MINNESOTA,

Respondent.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated March 31, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED:

1. Petitioner's application to proceed in forma pauperis, (Docket No. 2), is **DENIED**; and

2. Petitioner's application for a writ of habeas corpus is summarily **DISMISSED WITHOUT PREJUDICE**.

Dated: April 20, 2006

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Court Judge